

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HANOVER INSURANCE COMPANY, as subrogor of
Joseph P. Day Realty Corp.

Plaintiff,

-against-

NY FIRETECH, INC., and NY FIRE, LLC,

Defendants.

USDC SDNY
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DATE FILED: 2/17/2022

1:21-cv-2728-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On November 4, 2021, the Court scheduled an initial pretrial conference for this case for December 9, 2021 at 10:00 AM. [ECF No. 21]. Pursuant to that order, the parties were directed to submit a Proposed Case Management Plan and Scheduling Order and joint letter, as required by this Court's Individual Rules of Practice **one week prior to the conference date**. [ECF No. 21].

On December 3, 2021, the Court adjourned the conference because the parties had not complied with the Court's order. [ECF No. 22]. Moreover, the Court ordered the parties to file a letter explaining why the parties should not be sanctioned for a failure to comply with the Court's Order dated November 4, 2021. [ECF No. 22].

The parties subsequently filed letters requesting to adjourn the initial pretrial conference because they were making progress towards amicably resolving this matter, which the Court granted. [ECF Nos. 24, 26]. The latest Court order adjourned the initial pretrial conference to February 22, 2022. [ECF No. 26]. However, pursuant to the Court's order dated November 4, 2021, and section C.3 of the individual rules of this Court, "one week prior to the Initial Pretrial Conference," the parties must still file on ECF a joint letter and Proposed Civil Case Management Plan and Scheduling Order. To date, the parties have not filed a joint letter or a

Case Management Plan. Nor have the parties requested an adjournment of the initial pretrial conference.

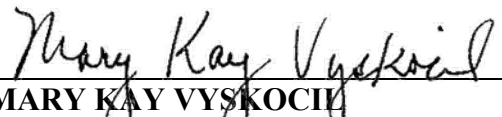
As such, IT IS HEREBY ORDERED that the initial pretrial conference scheduled for February 22, 2022 at 11:30 AM is ADJOURNED to March 1, 2022 at 10:30 AM.

On or before February 22, 2022, the parties are directed to file a joint letter and proposed case management plan in accordance with the Court's order dated November 4, 2021, and section C.3 of the individual rules of this Court. In that joint letter, the parties should also explain why they should not be sanctioned for a failure to comply with the Court's order.

THE PARTIES ARE ADMONISHED THAT FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN SANCTIONS.

SO ORDERED.

**Date: February 17, 2022
New York, NY**


MARY KAY VYSKOCIL
United States District Judge